

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISA GARVEY, individually and on
behalf of others similarly situated,

No. C 11-02575 WHA

Plaintiff,

ORDER RE VIDEO EVIDENCE

v.

KMART CORPORATION,

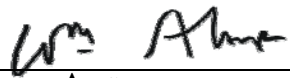
Defendant.

The parties shall jointly submit the following data regarding the trial video exhibits admitted into evidence by **THURSDAY, DECEMBER 13 AT NOON**: (1) the number of minutes each videotaped cashier spent standing in the checkout stand doing nothing (*i.e.* not engaged in an active job duty); (2) the number of minutes each cashier spent away from their checkout stand; (3) the number of minutes that each cashier spent in the checkout stand while there were no customers in the checkout lane; and, (4) the number of minutes each cashier had one or more customers waiting in the checkout lane behind a customer being served. The parties shall use their best efforts to come to agreement on the figures and not quibble about minor discrepancies. In the case of large discrepancies, the parties shall briefly (in a sentence or two) explain the basis for differing calculations.

Also, state what the trial evidence states a cashier is supposed to do when there are no customers in the lane, the merchandise is already straightened, and the bins are empty.

IT IS SO ORDERED.

Dated: December 11, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE